

RESOLUTION NO. 40-10

**A RESOLUTION OF THE MASON COUNTY COMMISSION CALLING FOR A SPECIAL ELECTION ON AUGUST 17, 2010, IN BOTH THE CITY OF SHELTON AND THE MASON COUNTY FIRE PROTECTION DISTRICT NO. 5 TO DETERMINE WHETHER OR NOT THE CITY OF SHELTON SHALL BE ANNEXED INTO THE FIRE PROTECTION DISTRICT.**

WHEREAS, the City of Shelton adopted Resolution No.1000-0510 on May 17, 2010, stating its intention to annex to Mason County Fire Protection District No. 5 and finding the public interest will be served thereby, and transmitted the resolution to the Board of Fire Commissioners of Fire Protection District No. 5 for its consideration; and

WHEREAS, on May 19, 2010, the Board of Commissioners of Mason County Fire Protection District No. 5 passed Resolution No.319 concurring in the annexation of the City of Shelton into Mason County Fire Protection District No. 5 for its consideration; and

WHEREAS, on May 19, 2010 the Board of Commissioners of Mason County Fire Protection District No. 5 transmitted to the Mason County Commission notification of its intent as contained in Shelton's and Fire Protection District No. 5 resolutions;

WHEREAS, pursuant to the Revised Code of Washington (RCW) 52.04.071, the County legislative authority is required to call a special election to be held in the City of Shelton and in the Fire Protection District at the next date according to RCW 29A.04.321 and shall cause notice of the election to be given as provided for in RCW 29A.52.351;

NOW, THEREFORE, be it resolved by the Commission of Mason County:

**Section 1.** A special election is hereby called for on August 17, 2010, in the City of Shelton and Mason County Fire Protection District No. 5, with notice provided by the Mason County Auditor pursuant to RCW 29A.52.351.

**Section 2.** The Mason County Auditor shall conduct the election in accordance with general election law and the election shall be canvassed by the County Canvassing Board.

**Section 3.** No person shall be entitled to vote at this election unless he or she is a qualified elector within the boundaries of the City of Shelton or the boundaries of the Mason County Fire Protection District No. 5.

**Section 4.** Pursuant to RCW 52.04.071, the ballot title shall read as follows:

ANNEXATION OF THE CITY OF SHELTON TO MASON COUNTY FIRE PROTECTION DISTRICT NO. 5

Shall the City of Shelton be annexed to and be a part of Mason County Fire Protection District No. 5?

YES

NO

**Section 5.** If a majority of persons voting on the proposition in the City of Shelton and a majority of persons voting on the proposition in Mason County Fire Protection District No. 5 vote in favor of the proposition, the City of Shelton shall be annexed and shall be a part of Mason County Fire Protection District No. 5.

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**Section 6.** The Clerk of the Mason County Commission shall forward a certified copy of this Resolution to the Mason County Auditor, to the City Clerk of the City of Shelton, and to the Board of Fire Commissioners of Mason County Fire Protection District No. 5.

ADOPTED this 25<sup>th</sup> day of May, 2010.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

ATTEST:

  
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Shannon Goudy, Clerk of the Board

  
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Ross Gallagher, Chair

  
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Lynda Ring Erickson, Commissioner

  
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Tim Sheldon, Commissioner